

Arizona Supreme Court
Civil Petition for Review - Special Action

CV-20-0119-PR

SWIFT TRANSPORTATION CO OF AZ v HON. CARMAN et al

Appellate Case Information

Case Filed: 28-Apr-2020
Case Closed:

Dept/Composition

En Banc

Hon. Robert Brutinel
Hon. Ann A. Scott Timmer
Hon. Clint Bolick
Hon. Andrew W. Gould
Hon. John R. Lopez
Hon. James P. Beene
Hon. William G. Montgomery

Side 1. SWIFT TRANSPORTATION CO. OF ARIZONA L.L.C., Petitioner

(Litigant Group) SWIFT TRANSPORTATION CO. OF ARIZONA L.L.C.

- Swift Transportation Co of Arizona LLC

Attorneys for: Petitioner

Phillip H Stanfield, Esq. (AZ Bar No. 11729)
Clarice A Spicker, Esq. (AZ Bar No. 29964)
Alejandro Barrientos, Esq. (AZ Bar No. 34129)
Eileen Dennis GilBride, Esq. (AZ Bar No. 9220)

Side 2. HON. KRISTA M. CARMAN, JUDGE OF THE SUPERIOR COURT OF THE STATE OF ARIZONA, in and for the County of Yavapai, Respondent Judge

(Litigant Group) HON. KRISTA M. CARMAN, JUDGE OF THE SUPERIOR COURT OF THE STATE OF ARIZONA, in and for the County of Yavapai

- Hon. Krista M Carman

Side 3. THOMAS MOUNTZ, the husband of Julie Mountz, on behalf of himself and all other statutory beneficiaries for the wrongful death of Julie Mountz, including Maggie Kegley, daughter of Julie Mountz, Luke Daniel Mountz, son of Julie Mountz; PAUL CHAMPION, as Conservator and Full Guardian of Jody Sue Engel, a legally incapacitated individual; DAVID DUNN, for minor P.L., on behalf of all entitled statutory beneficiaries, Real Party in Interest

(Litigant Group) THOMAS MOUNTZ/PAUL CHAMPION

- Thomas Mountz
- Paul Champion

Attorneys for: Real Party in Interest

David L Abney, Esq. (AZ Bar No. 9001)

(Litigant Group) DAVID DUNN

- David Dunn

Attorneys for: Real Party in Interest

Side 4. ARIZONA ASSOCIATION FOR JUSTICE/ARIZONA TRIAL LAWYERS ASSOCIATION, Amicus Curiae

(Litigant Group) ARIZONA ASSOCIATION FOR JUSTICE/ARIZONA TRIAL LAWYERS ASSOCIATION

- Arizona Trial Lawyers Association
- Arizona Association for Justice

Attorneys for: Amicus Curiae

Jonathan V O'Steen, Esq. (AZ Bar No. 24043)
C Lincoln Combs, Esq. (AZ Bar No. 25080)
Geoffrey M Trachtenberg, Esq. (AZ Bar No. 19338)

Side 5. TRUCKING INDUSTRY DEFENSE ASSOCIATION, Amicus Curiae

(Litigant Group) TRUCKING INDUSTRY DEFENSE ASSOCIATION

- Trucking Industry Defense Association

Attorneys for: Amicus Curiae

Todd A Rigby, Esq. (AZ Bar No. 13383)

CASE STATUS

Aug 25, 2020....At Issue

Aug 25, 2020....Oral Argument Granted

Apr 28, 2020....Pending

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PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
1 CA 1 CA-SA 20-0060					
YAV P1300CV201800589			Krista M Carman, Authoring Judge of Order Comments: (none)		
YAV V1300CV201880093			Krista M Carman, Authoring Judge of Order Comments: (none)		
YAV V1300CV201880095			Krista M Carman, Authoring Judge of Order Comments: (none)		

23 PROCEEDING ENTRIES

1.	28-Apr-2020	FILED: Petition for Review of a Special Action Decision of the Court of Appeals; Certificate of Service; Certificate of Compliance (Petitioner Swift Transportation Co)
2.	28-Apr-2020	FILED: Appendix to Petition for Review of a Special Action Decision of the Court of Appeals; Certificate of Service; Appendix 1-18; Appendix 19-23 (Petitioner Swift Transportation Co)
3.	28-Apr-2020	FILED: Order Accepting Jurisdiction, Denying Relief; Amended Order Accepting Jurisdiction, Denying Relief (Petitioner Swift Transportation Co)
4.	29-Apr-2020	FILED: Record from CofA: Electronic Record
5.	5-May-2020	RECEIPT No.: 2020-00458 ; \$280.00, Authorization: 821136131950192988, Applied to: SWIFT TRANSPORTATION CO. OF ARIZONA L.L.C. - Class A Filing Fee (\$280.00) Paid for: SWIFT TRANSPORTATION CO. OF ARIZONA L.L.C. - By nCourt LLC
6.	15-May-2020	FILED: Response of Real Parties in Interest Thomas Mountz and Paul Champion to Petition for Review of a Special Action Decision of the Court of Appeals; Certificate of Service; Certificate of Compliance (Real Parties Mountz/Champion)
7.	21-May-2020	RECEIPT No.: 2020-00507 ; \$140.00, Authorization: 821751976739566785, Applied to: THOMAS MOUNTZ/PAUL CHAMPION - Class B Filing Fee (\$140.00) Paid for: THOMAS MOUNTZ/PAUL CHAMPION - By nCourt LLC
8.	28-Jul-2020	ORDERED: Petition for Review of a Special Action Decision of the Court of Appeals = CONTINUED.
9.	25-Aug-2020	ORDERED: Petition for Review of a Special Action Decision of the Court of Appeals = GRANTED. FURTHER ORDERED: The case shall be set for oral argument. FURTHER ORDERED: The parties may file simultaneous supplemental briefs, not to exceed 20 pages in length, no later than 20 days from the date of the Court's Minute Letter. Any amicus briefs are due on or before September 29, 2020, and any responses to amicus briefs are due on or before October 14, 2020. Any amicus briefs or responses may not exceed 20 pages in length.
10.	31-Aug-2020	NOTICE OF ORAL ARGUMENT: Set for Thursday, November 19, 2020 at 10:15 A.M. [twenty (20) minutes per side]
11.	1-Sep-2020	FILED: Notice of Filing Acknowledgment of Oral Argument (Eileen Dennis GilBride will argue) (Petitioner Swift Transportation Co)
12.	31-Aug-2020	FILED: Notice of Association of Counsel (Attorney Gilbride as co-counsel for Petitioner Swift); Certificate of Service (Petitioner Swift Transportation Co)
13.	2-Sep-2020	FILED: Notice of Filing Acknowledgment of Oral Argument (David L. Abney will argue) (Real Parties Mountz/Champion)
14.	16-Sep-2020	FILED: Petitioner's Supplemental Brief; Certificate of Service; Certificate of Compliance (Petitioner Swift Transportation Co)
15.	16-Sep-2020	FILED: Supplemental Brief of Real Parties in Interest Thomas Mountz and Paul Champion; Certificate of Service; Certificate of Compliance (Real Parties Mountz/Champion)
16.	29-Sep-2020	FILED: Brief of Amicus Curiae Arizona Association for Justice/Arizona Trial Lawyers Association; Certificate of Service; Certificate of Compliance (Amici Curiae Arizona Association for Justice/Arizona Trial Lawyers Association)
17.	29-Sep-2020	FILED: Arizona Association for Justice/Arizona Trial Lawyers Association's Motion for Leave to File Amicus Curiae Brief; Certificate of Service (Amici Curiae Arizona Association for Justice/Arizona Trial Lawyers Association)
18.	29-Sep-2020	FILED: Certificate of Consent of all Parties, Re: Brief of Amicus Curiae Arizona Association for Justice/Arizona Trial Lawyers Association (Amici Curiae Arizona Association for Justice/Arizona Trial Lawyers Association)
19.	29-Sep-2020	FILED: Brief of Amicus Curiae Trucking Industry Defense Association; Certificate of Service; Certificate of Compliance (Amicus Curiae Trucking Industry Defense Association)
20.	29-Sep-2020	FILED: Consent of Parties (Amicus Curiae Trucking Industry Defense Association)

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23 PROCEEDING ENTRIES

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| 21. | 30-Sep-2020 | "Arizona Association for Justice/Arizona Trial Lawyers Association's Motion for Leave to File Amicus Curiae Brief" (Amicus Curiae Arizona Association for Justice/Arizona Trial Lawyers Association)" and the brief of amicus curiae were filed on September 29, 2020.

IT IS ORDERED granting the motion. The brief shall be filed as of September 29, 2020. (Hon. Robert Brutinel) |
| 22. | 14-Oct-2020 | FILED: Defendant's Response to Amicus Brief of Arizona Association for Justice/Arizona Trial Lawyers' Association; Certificate of Service; Certificate of Compliance (Petitioner Swift Transportation Co) |
| 23. | 14-Oct-2020 | FILED: Real Parties in Interest's Response to Brief of Amicus Curiae Trucking Industry Defense Association; Certificate of Service; Certificate of Compliance (Real Parties Mountz/Champion) |